

September 8, 2015

Via ECF

Honorable Shira A. Scheindlin
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1620
New York, New York 10007

**Re: Universitas Education, LLC v. TD Bank, N.A.
Case No. 15-cv-05643 (SAS)**

Dear Judge Scheindlin:

We represent Defendant TD Bank, N.A. ("TD") in the above-referenced matter, and write on behalf of TD and Plaintiff Universitas Education, LLC ("Universitas") in accordance with Section IV.D of Your Honor's Individual Rules and Procedures to propose a briefing schedule in connection with TD's upcoming motion to dismiss the First Amended Complaint (the "Motion to Dismiss"). The parties have exchanged letters in an attempt to resolve the need for the Motion to Dismiss pursuant to Section IV.B of Your Honor's Individual Rules and Procedures, but were unable to reach an agreement. As a result, TD intends to file its Motion to Dismiss on or before the September 15, 2015 deadline to answer or otherwise respond to the First Amended Complaint, as ordered by the Court on August 6, 2015.


The parties have agreed to the following briefing schedule, which is also being submitted concurrently as a proposed order in accordance with Your Honor's Individual Rules and Procedures:

- Universitas shall have up to and including forty-five (45) days following the filing of the Motion to Dismiss to file any opposition to the Motion to Dismiss.
- TD shall have up to and including thirty (30) days following the filing of Universitas' opposition to submit a reply in further support of the Motion to Dismiss.

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We thank the Court for its attention to this matter.

Respectfully submitted,



Jeffery J. Chapman

cc: Marie Napoli, Esq., counsel for Plaintiff Universitas Education, LLC (via ECF)